

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

In re: Anthony Satchell
Debtor

Chapter 13
Bankruptcy Case No.: 12-11102

**RESPONSE TO MOTION OF WELLS FARGO BANK NA, AS TRUSTEE FOR THE
CERTIFICATE-HOLDERS OF BANC OF AMERICA MORTGAGE SECURITIES INC.,
BANC OF AMERICA ALTERNATIVE LOAN TRUST 2007-1, MORTAGAGE PASS-
THROUGH CERTIFICATES, SERIES 2007-1
TO RECONSIDER DISMISSAL ORDER DATED FEBRUARY 28, 2012**

1. The debtor properly requested this case be dismissed according to §1307 and it was, on February 28, 2012.
2. 11 U.S.C.A. §1307(b) states as follows:

On request of the debtor at any time, if the case has not been converted under section 706, 1112, or 1208 of this title, the court shall dismiss a case under this chapter. Any waiver of the right to dismiss under this subsection is unenforceable.
3. Under §1307(b) and all other applicable sections, once a debtor voluntarily requests a dismissal, assuming the Bankruptcy has not been converted and/or none of the other applicable exceptions apply, the case is to be dismissed.
4. This case was not converted, nor do any applicable exceptions apply, so there is no reason to reconsider the dismissal.
5. While there are many grounds to force a dismissal, there are no grounds, in either federal, bankruptcy or state law, that allow any party besides the debtor, interested or otherwise,

to force a withdrawal of a voluntary dismissal by the debtor, especially given the fact that the case is now closed.

6. Further, in this case in particular, the bankruptcy was not filed in bad faith, only by mistake and was withdrawn as soon as possible once the mistake was realized, which was less than 2 hours after it was filed.
7. As such, there is no reason to go to such extraordinary measures and to place such a bar on the debtor.

CHERI ROBINSON & ASSOCIATES

Date: March 8, 2012

By: 
Cheri Robinson Esq.